

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

Benjamin Hendricks
CRD No. 5524616
49255 Hunt Club Court
Plymouth, MI 48170

Enforcement Case No. 08-5693

Annacore Business Capital, LLC
IARD No. 147164
P.O. Box 701015
Plymouth, MI

Respondents

_____ /

Issued and entered
on August 19, 2008
by Stephen R. Hilker
Chief Deputy Commissioner

ORDER TO CEASE AND DESIST

The Office of Financial and Insurance Regulation of the Michigan Department of Labor and Economic Growth, pursuant to the Michigan Administrative Procedures Act of 1969, MCL 24.201 *et seq.* (hereafter "MAPA"), and the Michigan Uniform Securities Act, as amended, MCL 451.501 *et seq.* (hereafter "Act"), and the rules promulgated under the Act, say that:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Office of Financial and Insurance Regulation is responsible for the licensing and regulation of securities and enforcement of the provisions of the Act. Effective April 6, 2008, the Office of Financial and Insurance Services was renamed the Office of Financial and Insurance Regulation, and is hereafter referred to as "OFIR" in this Order.

2. At all pertinent times Respondent Annacore Business Capital, LLC ("Annacore") was a limited liability company organized under the laws of the State of Michigan.
3. At all pertinent times Respondent Benjamin Hendricks (Hendricks) was a member of and resident agent for Annacore.
4. On March 20, 2008, Respondent Hendricks contacted OFIR by phone seeking information regarding finders in the State of Michigan. After doing some research, an OFIR investigator discovered that Annacore and Hendricks (collectively Respondents) operated a website.
5. Upon review of the website, it appeared that Respondents were actively soliciting business as investment advisers acting as finders. An excerpt of the main page accessed by OFIR on March 20, 2008, states, "Annacore Capital Funding works with angel investors, venture capitalists, private equity investment firms, and public companies that are seeking investments in many industries. We also work with entrepreneurs, business owners, and executives of established businesses who seek assistance in gaining access to financial and professional resources to help them grow their companies in a number of ways." According to the above-mentioned website, Annacore's resources can provide the following capital solutions:
 - Expansion or Growth Capital
 - Acquisition Capital
 - Recapitalization
 - Family Succession Recapitalizations
 - Management Buy-Outs
 - Management Buy-Ins
 - Industry Consolidations
 - Private-to-Public.
6. By nature of the allegations above, Respondents are both investment advisers and finders, as described in Section 401 of the Michigan Uniform Securities Act, MCL 451.801.
7. Respondents are not registered with OFIR as investment advisers.
8. By actively soliciting business as investment advisers acting as finders without being registered, Respondents are in violation of Section 201(c) of the Act, MCL 451.601(c)
9. Respondents knew or had reason to know that Section 201(c) of the Act, MCL 451.601(c), prohibits a person from transacting business in this state as an investment adviser unless the person is registered under this Act, or unless the person is registered as a broker-dealer without the imposition of a condition under section 204(b)(5), or unless the person's only clients in this state are insurance companies, federally covered advisers, banks, or trust companies.

WHEREAS, Section 408 of the Act, MCL 451.808, states that whenever it appears to the Administrator (Commissioner of the Office of Financial and Insurance Regulation) that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this act or any rule or order hereunder, it may in its discretion issue a cease and desist order or bring an action in a circuit court to enjoin the act or practices and to enforce compliance with this act or any rule or order hereunder; and

WHEREAS, Respondent, solicited business as investment advisers acting as finders; and

WHEREAS, Section 201 of the Act, MCL 451.601, provides that a person shall not transact business in this State as an investment adviser, agent, or broker dealer unless registered under the Act; and

WHEREAS, Respondent transacted business in the State of Michigan, but is not registered under the Act to act as an investment adviser, agent, or broker dealer; and

WHEREAS, the Administrator finds that the issuance of this Order is necessary and appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the Act; and

WHEREAS, based on the foregoing, OFIR Staff recommends that the Administrator find that Respondent has engaged in acts and practices that violate Section 201 of the Act, MCL 451.601, promulgated under the Act.

ORDER

IT IS THEREFORE ORDERED, pursuant to Section 408 of the Act, MCL 451.808, that:

1. Respondent shall immediately **CEASE AND DESIST** from violating Section 201 of the Act, MCL 451.601.
2. Respondent shall pay to the State of Michigan a civil fine of One Thousand Dollars (\$1,000.00). Upon execution of this Order, OFIR will send Respondent an Invoice for the civil fine, which shall be due within 30 days of issuance of the Invoice.

Failure to comply with this ORDER may subject you to a criminal penalty of not more than \$25,000 for each violation, or imprisonment of not more than 10 years, or both.

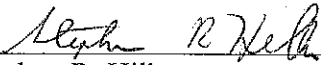
You may file with the Administrator within 15 days after service of this Order a written request for a hearing. The Administrator, within 15 days after your filing, shall issue a notice of hearing and set a date for the hearing. Any request for a hearing should be addressed to: the Office of Financial and Insurance Regulation, Attention: Hearing Coordinator Dawn Kobus, P.O. Box 30220, Lansing, Michigan 48909.

If you do not request a hearing, or it is not ordered by the Administrator within 15 days, this Order will stand as entered and will be FINAL.

It is important to understand that any statements that you present in response to this Order may be used against you at a hearing. It is also important to understand that you have the right, at your own expense, to have an attorney assist you at a hearing.

Any other communication regarding this Order should be addressed to the Office of Financial and Insurance Regulation, Attention: Marlon F. Roberts, P.O. Box 30220, Lansing, Michigan 48909.

OFFICE OF FINANCIAL AND
INSURANCE REGULATION

By: 
Stephen R. Hilker
Chief Deputy Commissioner